

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**CONSERVATION LAW
FOUNDATION, INC.,**

Plaintiff,

v.

**MITT ROMNEY, in his official
capacity as GOVERNOR OF
MASSACHUSETTS, et al.,**

Defendants.

C.A. No. 05-10487-NG

**ASSENTED-TO MOTION TO FURTHER ENLARGE TIME
TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT**

The defendants Mitt Romney, in his official capacity as Governor of Massachusetts; Douglas I. Foy, in his official capacity as Secretary of the Office for Commonwealth Development and Chairman of the Commonwealth Development Coordinating Council; Daniel Grabauskas, in his official capacity as Secretary of the Executive Office of Transportation;¹ John Cogliano, in his official capacity as Commissioner of the Massachusetts Highway Department; and Robert W. Golledge, in his official capacity as Commissioner of the Department of Environmental Protection (“State Defendants”), and on behalf of defendants the Massachusetts Bay Transportation Authority; Daniel Grabauskas, in his official capacity as Chairman of the Massachusetts Bay Transportation Authority; Michael H. Mulhern, in his official capacity as

¹ The plaintiff has also named as a defendant Daniel Grabauskas, in his official capacity as Chairman of the Massachusetts Bay Transportation Authority. In that separate official capacity, Mr. Grabauskas is represented by separate counsel.

General Manager of the Massachusetts Bay Transportation Authority; the Massachusetts Turnpike Authority; and Matthew J. Amorello, in his official capacity as Chairman of the Massachusetts Turnpike Authority (the "Co-Defendants"), respectfully move for a brief further enlargement of time, up to and including April 22, 2005, to serve an answer or other responsive pleading to plaintiff's complaint. A response is currently due on or about April 15, 2005. In support of this motion, the State Defendants state that the their lead counsel's daughter was hospitalized yesterday with pneumonia and asthma, and that he must take time off from work to assist with her care and to attend to his other two young children. Plaintiff has assented to the requested enlargement of time for all defendants.

For the foregoing reasons, the State Defendants respectfully request that the Court further enlarge their time (and the time of the Co-Defendants) for serving an answer or other responsive pleading in this matter up to, and including, April 22, 2005.

Respectfully submitted,

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ATTORNEY GENERAL

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Date: April 12, 2005

LOCAL RULE 7.1(A)(2) CERTIFICATION

Pursuant to Local Rule 7.1(A)(2), I certify that I have conferred with counsel for the plaintiff and that he has assented to the requested enlargement of time.

/s/ Pierce O. Cray.
Pierce O. Cray